

## MEMORANDUM



## OFFICE OF THE DISTRICT ATTORNEY, Bronx County

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December 13, 2007

The Honorable Gabriel W. Gorenstein  
United States Magistrate Judge  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Room 510  
New York, New York 10007-1312

**USDC SDNY  
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Re: Paul Watkins v. Ercole  
06 Civ. 15222 (PAC) (GWG)

Dear Magistrate Judge Gorenstein:

I represent respondent in the above-captioned petition for a writ of habeas corpus. In an order dated November 16, 2007, this Court ordered respondent to "submit [on or before December 21, 2007] a supplemental response addressing each claim raised by petitioner not already addressed in respondent's previous response."<sup>1</sup> I am writing, however, to request a two-month extension, until February 21, 2008, to file a response.

Besides the fact that this case has a long procedural history, I am currently working on another petition for a writ of habeas corpus (Murphy v. Artus, 07 CV 09468 [RJS]), before the Honorable Richard J. Sullivan. In addition to my own cases, I am also responsible for editing other Assistant District Attorneys on various state motions.

<sup>1</sup> Pursuant to this Court's March 20, 2007 order, my predecessor, in papers dated May 18, 2007, responded to petitioner's original petition dated July 8, 2006, and filed with this Court's Pro Se Office on September 25, 2006.

Since being assigned this case, I have filed and argued a direct appeal before the Appellate Division, First Department, People v. Jose Esquivel, and have also edited other Assistant District Attorneys on various motions.

Although I previously requested an extension to respond to petitioner's motion to stay the current petition, this is my first request for an extension since being ordered to respond to the substance of his claims.

In light of the above, as well as the upcoming holidays, I respectfully request an adjournment of two months, until February 21, 2008, for my response.

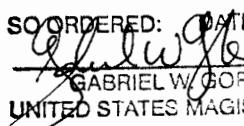
If you have any questions or concerns, please contact me at (718) 590-2140. Thank you for your consideration.

Respectfully,

  
**RITHER ALABRE**  
Assistant District Attorney  
Appeals Bureau

cc: Paul Watkins  
D.I.N. # 02-A-3628  
Green Haven Correctional Facility  
P.O. Box 4000  
Stormville, New York 12582

Granted. Petitioner may respond on or before March 21, 2008. Respondent shall furnish to petitioner copies of any unpublished opinions cited in his papers.

SO ORDERED: DATE: 12/13/2007  
  
**GABRIEL W. GORENSTEIN**  
UNITED STATES MAGISTRATE JUDGE

MEMORANDUM ENCLOSED